

## REMARKS/ARGUMENTS

Examiner Koenig is thanked for the thorough examination of the subject Patent Application. The Claims have been carefully reviewed and amended, and are considered to be in condition for allowance.

5           Reconsideration of the rejection under 35 USC §101 of Claims 1-20 and 62-81 is requested in light of the following arguments. Claims 1 and 62 are amended to respectively describe a method and a program process “for segmenting a data object associated with a first computing system for facilitating transfer of said segmented data object from said first computing system to a  
10   second computing system”. Claims 1 and 62 do not just manipulate an abstract idea, but executes steps for:

requesting a range of addresses within a storage device of the first  
computing system containing said data object;

determining a number of storage devices attached to said first  
15       computing system available to retain a plurality of segments of said  
data object;

determining a maximum digital data transfer load for the storage  
devices attached to said first computing system;

assigning a minimum segment size which is the smallest amount of  
digital data to be contained within one segment of the data object;

calculating a first segment size as a first function of a number of the  
storage devices, the current digital data transfer load, the maximum  
5 digital data transfer load, and the minimum segment size;

assigning a last segment size as the minimum segment size;

calculating all remaining segment sizes as a second function of the  
number of the storage devices, the current digital data transfer  
load, the maximum digital data transfer load, and the minimum  
10 segment size; and

partitioning said data object into segments whereby the first segment  
of the data object is of the first segment size, the last segment of  
the data object is of the last segment size, and all the remaining  
segments of the data object is of the remaining segment sizes.

15 The method and the program process retrieve the location of the data  
object on the first computing system, the amount data storage available for the  
segments, the network load available for transfer of the segmented data object  
from the first computing system, assigning a minimum segment size, determining  
the first segment size, determining the remaining segment sizes (including  
20 assigning the last segment size as the minimum segment size), and partitioning

the data objects into the segments for storing in the storage units associated with the first computing system. The segments may then be transferred as individual segments of the data object to a second computer. The Applicant believes that this indeed directed to statutory subject matter.

5           Claim 62 is amended to claim "A medium for retaining a computer program code which, when executed on a computing system performs a computer program process for segmenting a data object associated with a first computing system to facilitate transfer of said segmented data object from said first computing system to a second computing system". While the medium  
10 maybe a "piece of paper", the fact that it contains computer executable program code is now directed to statutory subject matter. Computer program code on the "piece of paper" may be read by an optical scanner associated with a computing system and the program process executed by the computing system.

The objection to Claims 22 and 83 under 37 CFR 1.121(c)(4)(i) is  
15 requested in light of the following. The text of Claims 22 and 83 are cancelled and claim text has been removed as required under 37 CFR 1.121(c)(4)(i).

The Applicant acknowledges that Claims 21, 23-61, 82-102 are allowed. The Applicant believes that claims 1-21, 23-82, and 84-102 as amended are now in condition for allowance and respectfully requests that a timely Notice of  
20 Allowance for all claims be issued in this case.

It is requested that should Examiner Koenig not find that the Claims are now allowable, that the undersigned be called at (845) 452-5863 to overcome any problems preventing allowance.

Respectfully Submitted,  
George O. Saile & Associates

A handwritten signature in black ink, appearing to read 'SBA', with a horizontal line underneath.

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